

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: in line 4 of page 2, the term "use" should be "used."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1 – 4, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Stern, et al. (US 2003/0008662); hereafter referenced as Stern.**

Regarding **claim 1**, Stern discloses a mobile device management method and system that controls the allowed usage of a mobile device based on a location-defined policy. Stern specifically discloses this method in Fig. 13 as comprising:

- a) establishing the geographic location of a mobile user device (1302),
- b) checking the device policy (restriction levels) of the area (1304/1306),
- c) returning instructions to the mobile device to instate said restriction levels on said device (1310/1312).

Stern further discloses "digital camera" as encompassed under the blanket term "mobile user device" [0030].

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4. Regarding **claim 2**, Stern discloses everything in claim 1, as applied above. In addition, Stern discloses the mobile user is prohibited from receiving, storing, transmitting or providing information according to a device policy set in place at that time by a user (claim 18.) This method reads on the claimed “rejection of images transmitted from the mobile imaging equipment.”

5. Regarding **claims 3 and 4**, Stern discloses everything in claim 1, as applied above. Furthermore, similar to the interpretation of claim 2, Stern discloses that the invention controls the transmission of information according to the user device policy (claim 18.) The user device policy is set by a user, but the policy is disclosed to encompass the “sending of a message containing an executable instruction” [0059, “transmit an offer to provide payment”] as well as the “prohibit[ion of] image data” [0059, “instruct a digital camera that no pictures are to be taken”] as device policies.

6. As to **claim 6**, Stern discloses everything in claim 3, as applied above. In addition, Stern discloses that the instructions include prohibition of image taking in a certain area or requirement of payment for digital rights to the image being taken (Figure 7).

7. As to **claim 7**, Stern discloses everything in claim 1, as applied above. Stern discusses that an embodiment of her method includes determining location via third-party service (e.g., cellular network provider) or via global positioning system [0046].

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claim 5** is rejected under **35 U.S.C. 103(a)** as being unpatentable over **Stern in view of Mintzer** (US 5,875,249 A.)

Regarding claim 5, Stern discloses everything claimed as applied above (see claim 3). However, Stern fails to disclose of including an instruction for marking the transmitted images. However, the Examiner maintains that it was well known in the art to mark transmitted images, as taught by Mintzer.

In a related art regarding image cryptography, Mintzer teaches a method to embed hidden watermarks in digital images to control digital rights management (col. 3, lines 24 - 37). Both Stern and Moore mention that their methods are used for authentication and verification in certain situations (mobile device usage and image content protection for Stern and Moore, respectively.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern's method of mobile user device management with Moore's method to embed watermarks in the data, as Moore's method would complement Stern's purpose of managing digital rights.

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10. **Claim 8** is rejected under **35 U.S.C. 103(a)** as being unpatentable over **Stern in view of Bell, et al.** (US 2004/0201751 A1).

As stated previously, Stern teaches all limitations on claim 1. Additionally, on multiple occasions, Stern discloses that the restriction policies created for that location can be limited to a certain time frame (e.g., between 7:00 to 4:00 [Fig. 8]).

Despite this, Stern does not specifically disclose the usage of temporal data in its policy checking methods. However, the Examiner maintains that it was well known in the art to use temporal data as a policy check, as taught by Bell.

In a related art regarding cameras with static memory details, Bell teaches a secure digital photography system that sends photograph metadata that includes at least one of date and time in which the image was captured for use with an authenticity check on a remote server.

Therefore, because Stern utilizes time constraints in the examples presented, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern's method of mobile user device management with Bell's method of transmitting date and time data embedded in a still image to a remote server, as the temporal data would be a simple source to compare against the time constraints presented in Stern's method for device management.

Citation of Pertinent Art

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Atkin et al (US 2005/0064856 A1) discloses a method and apparatus for remotely managing camera functions in a camera phone.
- Jang (US 2005/0075117 A1) discloses a method and apparatus for limiting the use of secret spy cameras.
- Aburai (US 2002/0090953 A1) discloses a method for controlling information on a mobile device based on position information received from the device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwight Alex C. Tejano whose telephone number is (571) 270-7200. The examiner can normally be reached Monday - Friday 9:30 – 6:00 with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey F. Harold can be reached on (571) 272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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